

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

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CLERK-ALEJ. QUERQUE

UNITED STATES OF AMERICA,

Plaintiff-Respondent,

v.

CIV 06-0940 WJ/KBM
CR 02-0501 BB

DAVID DURAN-SALAZAR,

Defendant-Movant.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

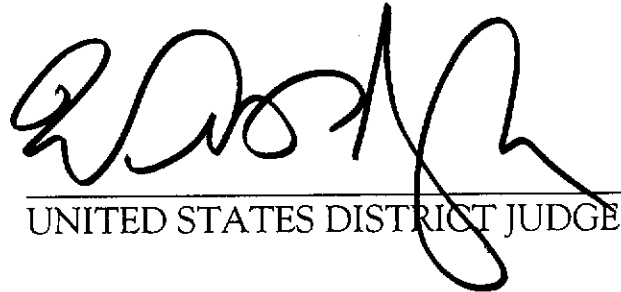
The Magistrate Judge filed her Proposed Findings and Recommended Disposition on February 16, 2007. *See Doc. 11.* Plaintiff filed extensive objections, which I have carefully reviewed *de novo*. I find the objections without merit.

Wherefore,

IT IS HEREBY ORDERED THAT:

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 11*) is ADOPTED;
2. The United States' motion (*Doc. 6*) is GRANTED IN PART;
3. Defendant's request for an evidentiary hearing (*Doc. 9*) is DENIED;

4. Defendant's § 2255 petition (*Doc. 1*) is denied on the merits and dismissed with prejudice; and
5. A final order enter concurrently herewith.



UNITED STATES DISTRICT JUDGE